

REMARKS

In the above-noted Official Action, the Examiner objected to the drawings under 37 C.F.R. 1.83(a). The Examiner objected to the specification and required a substitute specification. Claims 6, 7 and 15 were objected to for informalities. Claims 1-18 were rejected under 35 U.S.C. §112, first paragraph. Claims 6-16 and 17 were rejected under 35 U.S.C. §112, second paragraph, as indefinite. Claims 1 and 2 were rejected under 35 U.S.C. §102(e) over RAYMENT (U.S. Patent No. 4,656,904). Claims 3-5 and 18 were rejected under 35 U.S.C. §103(a) over RAYMENT in view of MAYNARD et al. (U.S. Patent No. 5,269,739). Claims 6-17 were rejected under 35 U.S.C. §103(a) over RAYMENT in view of SINGER et al. (U.S. Patent No. 5,079,981).

In view of the herein-contained remarks, amendments and substitute specification, Applicants respectfully request reconsideration and withdrawal of each of the outstanding objections and rejections, as well as an indication of the allowability of each of the claims now pending.

Applicants traverse the objection to the drawings under 37 C.F.R. 1.83(a). In particular, the Examiner indicated that "the mechanism for pivoting the blade with respect to the data collected by the sensor must be shown or the features canceled from the claims". Applicants respectfully direct the Examiner's attention to the "tilting force application mechanism" 31, the "cam" 31a, the "damping spring" 31b and the "center

axis" 11 for rotation, all shown in, e.g., Figure 2. Applicants also direct the Examiner's attention to the "sensing portion" 9, described with respect to Figures 9-14. In particular, Applicants respectfully submit that the claimed features asserted by the Examiner to be missing from the figures are, in fact, clearly shown in the Figures. Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding objection to the drawings.

Applicants have attached a substitute specification hereto under 37 C.F.R. §1.125(a) and (c). In this regard, Applicants note that only a clean copy of the substitute specification is being submitted herewith under 37 C.F.R. §1.125(c), insofar as the substitute specification is being submitted to comply with a requirement of the Office, and due to the extent of the revisions made thereto. However, if the Examiner requires a marked-up copy of the amended specification, he is encouraged to contact the undersigned attorneys of record. In view of the herein-contained substitute specification, Applicants request reconsideration and withdrawal of the objection to the specification.

Applicants respectfully traverse the objection to claims 6, 7 and 15 for informalities. In particular, Applicants respectfully submit that the herein-contained amendments have removed all parenthetical expressions from the pending claims. Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding objection to claims 6, 7 and 15.

Applicants respectfully traverse the rejection under 35 U.S.C. §112, first paragraph. In particular, Applicants respectfully direct the Examiner's attention to Figure 2, and the features noted above with respect to the objection to the drawings, as well as the accompanying description in the substitute specification provided herewith.

Applicants respectfully submit that, e.g., Figures 2 and 9-14, and the accompanying description clearly describe the "structural relationship for pivoting the blade". The Examiner's attention is respectfully directed to, e.g., the dotted line indicating the tilted support in Figure 2. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §112, first paragraph.

Applicants respectfully traverse the rejection under 35 U.S.C. §112, second paragraph. In particular, Applicants respectfully submit that each of the specific features recited in claims 6, 7 and 15 have been amended to address the individual rejections thereof. Additionally, Applicants have amended claims 6 and 7 into independent form (and resultingly submit that they previously were clearly dependent claims by virtue of their reference to claim 1). Furthermore, claim 15 has been revised to more clearly depend directly from claim 1. Applicants further submit that amended claims 1-18 have been amended to more clearly recite the features of the claimed invention. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

Applicants respectfully traverse each of the outstanding rejections under 35 U.S.C. §102(e) and 103(a). In particular, Applicants respectfully submit that the features of, e.g., claims 1, 6 and 7 are not disclosed or suggested by the combination of references applied by the Examiner. In this regard, Applicants note that claims 6 and 7 have been amended to recite substantially all of the features recited in amended claim 1.

In particular, claim 1 recites "said support being configured to control a tilting angle of the cutting blade in a blade length direction, and the cutting blade being driven to be vertically movable relative to the support by a driving source". In contrast, RAYMENT discloses at, for example, column 5, line 1 that a blade is moved in a "non linear manner". However, RAYMENT does not disclose or suggest controlling "a tilting angle of the cutting blade in a blade length direction". In this regard, RAYMENT is directed to a food processing cutter that drops non-linearly with respect to food being carried on a "conveyor belt 14". Additionally, "when the knife blade first strikes the food product the flexible connector 38 begins to unwind and causes the angle of the knife blade to change to a more vertical position". See column 5, lines 1-15. Applicants respectfully submit that the knife blade in RAYMENT is controlled by the flexible connector in a direction transverse to the cutting blade in a blade length direction, rather than in a blade length direction as is recited in, e.g., claims 1, 6 and 7.

Applicants further assert that the above noted features of claims 1, 6 and 7 are not

disclosed or suggested by MAYNARD or SINGER; nor has the Examiner asserted that the above-noted features of claims 1, 6 and 7 are disclosed or suggested thereby.

Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the outstanding objections and rejections under 35 U.S.C. §102(e) and 35 U.S.C. §103(a) over the references applied by the Examiner.

Applicants further submit that each of claims 2-5 and 8-18 are patentable, at least because each depends, directly or indirectly, from an allowable independent claim, as well as for additional reasons related to their own particular recitations. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the rejections of claims 1-18 under 35 U.S.C. §102(e) and 35 U.S.C. §103(a).

Accordingly, for all of the reasons set forth above, Applicants submit that the features of each of claims 1-18 of the present invention are definite, shown in the figures, described in the specification, and not disclosed or suggested by the references applied by the Examiner. At least for the above-noted reasons, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections and objections of claims 1-18, and an indication of the allowability of each of the claims now pending, in due course.

SUMMARY AND CONCLUSION

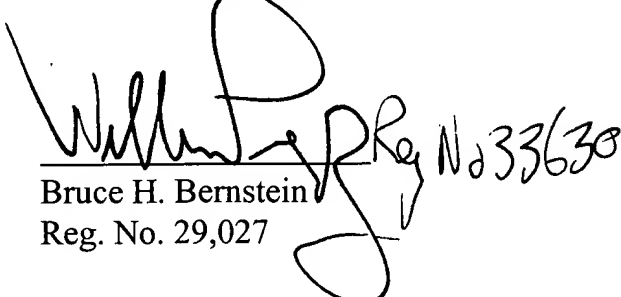
Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have amended the claims, submitted a substitute specification, and pointed out features of the amended claims not disclosed or suggested by the prior art applied by the Examiner. Accordingly, Applicants respectfully submit that an indication of the allowability of the claims of the present invention would now be appropriate.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this response or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Respectfully submitted,
Hisashi YASODA et al.


Bruce H. Bernstein
Reg. No. 29,027